

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:)	19-07499
)	
DON C. REED,)	Chapter 13
)	
Debtor(s).)	Hon. Judge Deborah L. Thorne

NOTICE OF MOTION

TO: See attached list

On December 16, 2020, at 1:30 p.m., I will appear before the Honorable Deborah L. Thorne, or any judge sitting in that judge's place, and present this motion, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is **160 9362 1728** – no password required. The meeting ID and further information can also be found on the Judge Thorne's web page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

Movant: Don C. Reed
By: Michael R. Colter, II
David M. Siegel & Assoc., LLC
790 Chaddick Drive
Wheeling, IL 60090
(847) 520-8100
mcolter@davidmsiegel.com

CERTIFICATE OF SERVICE

I certify that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method indicated on the list on November 25, 2020 at 5:00 p.m.

/s/ Michael R. Colter, II
Michael R. Colter, II

To the following persons or entities who have been served via electronic mail:

U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov

Marilyn O. Marshall, Chapter 13 Trustee: thocall@chi13.com

To the following persons or entities who have been served via U.S. Mail:

Don C. Reed
3440 S. Cottage Grove, #1206
Chicago, IL 60616

Dell Financial Services, LLC
Resurgent Capital Services
PO Box 10390
Greenville, SC 29603-0390

Citizens Bank N.A.
One Citizens Bank Way
JCA115
Johnston R.I.02919

City of Chicago Department of Finance
c/o Arnold Scott Harris, P.C.
111 W. Jackson Blvd Ste. 600
Chicago, IL 60604

ED Financial
U.S. Dept. of Education
120 N. Seven Oaks Drive
Knoxville, TN 37922

Chase Bank USA, N.A.
c/o Robertson, Anschutz & Schneid, P.L.
6409 Congress Avenue, Suite 100
Boca Raton, FL 33487

Portfolio Recovery Associates, LLC
P.O. Box 41067
Norfolk VA 23541

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MOTION TO MODIFY PLAN

NOW COMES the Debtor, **Don C. Reed**, by and through his attorney, David M. Siegel & Associates, LLC, to present this Motion, and in support thereof states as follows:

- 1) This Court has jurisdiction pursuant to 28 U.S.C. § 1334 and Internal Operating Procedure 15(a) of the U.S. District Court for the Northern District of Illinois.
- 2) On March 18, 2019, Debtor filed for relief under Chapter 13 of Title 11 USC.
- 3) Debtor's Plan was confirmed on June 12, 2019, with monthly payments of \$210.00, and general unsecured creditors receiving no less than 10% of their allowed claims.
- 4) Debtor became unemployed in December 2019 but has recently returned to work.
- 5) Debtor can afford to resume making payments as evidenced by the Amended Schedules I and J (Exhibit A).
- 6) Debtor's income has increased but he is still below the median income. His budget at the time of filing was extremely minimal.
- 7) Debtor seeks to modify his plan under § 1329 and defer the current default.
- 8) Debtor seeks to modify his plan under § 1329 and increase the monthly plan payment from \$210.00 to \$310.00. General unsecured creditors will still receive no less than 100% of their allowed claims.
- 9) Debtor seeks these modifications without the intent to commit fraud.

WHEREFORE, the Debtor, Don C. Reed, prays that this Honorable Court enter an Order Modifying Debtor's Chapter 13 Plan and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Michael R. Colter, II
Michael R. Colter, II, A.R.D.C. #6304675
Attorney for the Debtor